

THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOSEPH ALLEN HENDERSON, #246414,        )  
  )  
Plaintiff,                                      )  
  )  
v.   )        2:09-CV-955-TMH  
  )        [WO]  
  )  
KILBY MEDICAL STAFF, *et al.*,            )  
  )  
Defendants.                                    )

**ORDER**

On November 10, 2009, the Magistrate Judge filed a Recommendation (Doc. 8) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1.     The Recommendation (Doc. 8) of the Magistrate Judge is ADOPTED, and
2.     This case be DISMISSED without prejudice for failure of the plaintiff to prosecute this action.

An appropriate judgment will be entered.

Done this 9th day of December, 2009.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE